

Message Text

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R 220845Z JUN 78
FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC 0207

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FOR ANDREWS FROM SIMONS, EUR/EE THREE COPIES ONLY

E.O. 11652: GDS
TAGS: OGEN RO
SUBJECT: OFFICIAL-IROLRMAL

1. TRIFA AND OTHERS (STATE 157091):
--ON STRATMAN VISIT, WE SEE NO REAL OBJECTION TO HIS
COMING, SO LONG AS

HE DOES NOT SEEK OFFICIAL GOR COOPERATION
IN ASSEMBLING
MATERIALS ON TRIFA AND CONDUCTS RESEARCH IN
CONTEXT OF HIS INTEREST IN RELEVANT PERIOD, AS INDEPENDENT
SCHOLAR. CONSEQUENTLY, WE BELIEVE, WITH YOU, THAT THIS IS
DECISION WHICH CAN BE LEFT TO STRATMAN. IN VIEW OF OUR
PREVIOUS EXPRESSIONS OF INTEREST IN CASE, POSSIBLE GOR
HEARTBURN AT EVENTUAL USE OF MATERVUALS HE COLLECTS SHOULD BE
RATHER EASY FOR US TO BEAR, AND WE DOUBT IF IT WOULD REALLY
HURT HIM EITHER.

--ON RELATED COPIC OF INVESTIGATIONS OF FORMER GUARDISTS,
WE HAVE BEEN WORKING PROBLEM OF ACCESS TO "ROMANIAN SOURCES"
MENTIONED IN A FINE AIRGRAM SOME MONTHS AGO, WITH MIXED
RESULTS. LATEST THRUST WAS NOTE FROM EMBASSY ASKING FOR
PERMISSION FOR PATTISON TO USE 1941 BOOK, PE PARGINIE
PRAPASTIEI, PUBLISHED BY ANTONESCU REGIME AND ON
RESTRICTED SHELVES. I ASKED BOGDAN ABOUT NOTE/JUNE 20,
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SPECIFYING IN RESPONSE TO QUESTION THAT WE DO NOT RPT
NOT HAVE TRIFA HIMSELF IN MIND, AND HE ASKED JUNE 21 IF IT
WERE NOT TRUE THAT WE HAD IN MIND DOCUMENTATION FOR
EMBASSY PURPOSES; I SAID IT WAS TRUE. ANSWER MAY
SUGGEST WHICH WAY WIND IS BLOWING.

--RE TRIAL ATTORNEY, IN VIEW OF NEGATIVE RESPONSES
ON REQUESTS FOR HELP EARLIER THIS YEAR, WE BELIEVE THAT

IT WOULD TAKE CONSIDERABLE EXPENDITURE OF NEGOTIATING CAPITAL ON OUR PART TO GET HIM IN, AND THAT THERE IS

NO REALISTIC POSSIBILITY HE WOULD GET AN COOPERATION FROM GOR THEREAFTER, ALTHOUGH TURNDOWN WOULD PROBABLY CONSIST OF INEFFABLE DRIFT, THROUGH MANY SMILES AND CUPS OF LITTLE COFFEE, INTO NEVER-NEVER, WITH FRUSTRATION FOR ALL AND GOOD DEAL OF TIME SPENT BY ACCOMPANYING EMBASSY OFFICERS WHO WOULD BE BETTER OCCUPIED ELSEWHERE. IF HE DID COME, HE MIGHT BE ABLE TO TRACK DOWN SOME WITNESSES WILLING TO GIVE DEPOSITIONS VIA JEWISH COMMUNITY, DESPITE OFFICIAL ROSEN OPPOSITION AND POTENTIAL GOR UNHAPPINESS, IF HE WERE SUBTLE, SOFT-SELL TYPE. BUT PROSPECTS FOR REALLY PRODUCTIVE VISIT ARE SO SLENDER EVEN ATTEMPT SEEMS WASTE OF TAXPAYERS' MONEY;

2. BULANDRA TOUR. WHEN I HAD LUNCH WITH CIULEI JUNE 20, HE DESCRIBED RATHER COMPLEX SITUATION CONCERNING FALL VISIT OF BULANDRA, WHICH YOU MAY WISH TO DESCRIBE, IN TURN, TO HARRY AND POSSIBLY ALSO TO GEORGE FORNER, WHO IS RIDING HERD ON IT IN USICA. ACCORDING TO HIM, DECISION TO SUBSTITUTE SORESCU'S RACEALA FOR CARAGIALE'S SCRISOAREA PIERDUTA AS ROMANIAN CONTRIBUTION WAS TAKEN FOR PURELY IN-HOUSE, MAINLY PERSONAL REASONS, WITHOUT HIS APPROVAL, DURING HIS ABSENCE. HE HAS GRAVE RESERVATIONS ABOUT RACEALA'S APPROPRIATENESS FOR AMERICAN

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STAGE (AS DO I), AND QUESTION OF WHICH ROMANIAN PLAY SHOULD THEREFORE BE SENT IS CURRENTLY BEING RECONSIDERED. HE DID NOT MAKE CLEAR WHERE, NOR DID HE SUGGEST WHERE REAL DECISION LIES. RESULT, HOWEVER, IS DELAY. BUT DELAY IN THIS CASE SEEMS TO CUT NUMBER OF WAYS. AS WE UNDERSTAND IT, HUMPHREYS IS HAVING TROUBLE WITH RACEALA STAGING REQUIREMENTS, WHICH ARE REAL BASIS FOR HIS CURRENT EFFORTS TO MOVE FROM UNIVERSITY TOUR TO TWO OR THREE BIG CITIES; THESE MIGHT EVAPORATE IF DECISION WENT FOR SCRISOAREA INSTEAD OF RACEALA. ON OTHER HAND, HE MAY BE SO FAR ALONG IN PLANS THAT ANY DELAY WOULD SIMPLY BLOW UP THE TOUR. HARRY WOULD PROBABLY BE IN BEST POSITION TO JUDGE WHERE WHOLE MATTER STANDS; HE SHOULD IN ANY CASE TALK WITH CIULEI ABOUT IT WHEN HE ARRIVES JUNE 26 OR 28 FOR WORK WITH JUILLIARD PLAYERS (C/O ALAN SCHNEIDERMAN IN NEW YORK) AND EVENTUALLY CIRCLE-IN-SQUARE. IN ANY EVENT, I DO NOT PLAN TO RAISE MATTER WITH MILTON ROSENTHAL DURING HIS STAY HERE FOR COUNCIL MEETING, ON ASSUMPTION MONEY GIVEN ONCE IS GIVEN FOR GOOD, UNLESS YOU ADVISE OTHERWISE.

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FOR ANDREWS FROM SIMONS, EUR/EE THREE COPIES ONLY

3. VLAD GEORGESCU (STATE 152562). IT MAY WELL BE THAT AMBASSADOR'S JUNE 2 DEMARCHE WITH ANDREI AND JUNE 12 FOLLOWUP WITH BOGDAN, BUILDING TOGETHER WITH BILLINGTON'S JUNE 15 TALK WITH NICOLAE AND PREVIOUS HIGH-LEVEL APPROACHES, HAVE BROKEN ICE FOR VLAD GEORGESCU. I REMINDED BOGDAN OF CASE YESTERDAY, AND HE GAVE ME SAME KIND OF DUSTY ANSWER NICOLAE BEGAN WITH: FORMAL APPLICATION TO GEORGESCU'S INSTITUTE (SE EUROPEAN STUDIES) IS RECENT (IN FACT, APRIL, AFTER INVITATION WAS RECYCLED FROM APRIL TO JUNE), AND HARD TO ACT ON SO FAST. BUT AT LUNCH IMMEDIATELY THEREAFTER, GEORGESCU SAID THERE HAD BEEN TOTAL TURNAROUND BETWEEN FRIDAY JUNE 16, WHEN ACADEMY OF SOCIAL AND POLITICAL SCIENCES HAD SENT HIM BACK ALL HIS PAPERS WITH STATEMENT THEY COULD DO NOTHING, AND SATURDAY JUNE 17, WHEN ACADEMY PRESIDENT MIHNEA GHEORGHIU HAD CALLED HIM IN AND TALKED WITH HIM THREE HOURS. IN COURSE OF TALK, GHEORGHIU HAD CALLED ACADEMY PUBLISHING HOUSE AND ORDERED GEORGESCU'S BOOK (QUANTITATIVE STUDY OF EARLY MODERN ROMANIAN POLITICAL THOUGHT) PRINTED-- GEORGESCU SAID HOUSE IS CURRENTLY PLAGUING HIM FOR COPY--AND, MORE IMPORTANT, HAD ORDERED ACADEMY'S ADMIN SECRETARY URMASU TO FILL OUT PASSPORT APPLICATION FORMS FOR HIM AND WIFE. LATTER PROCESS IS NOW GOING ON (DESPITE ABSENCE OF LEGALLY REQUIRED AFFIDAVITS FROM INSTITUTE AND MINISTRY OF EDUCATION), AND GEORGESCU'S CONFIDENTIAL

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STRONG FEELING IS THAT THINGS WOULD NOT HAVE GONE SO FAR

UNLESS DECISION HAD BEEN TAKEN TO LET HIM LEAVE. SO IS MINE, ALTHOUGH WE ARE BOTH KEEPING FINGERS CROSSED AND LUNCHING NEXT WEDNESDAY TO REVIEW DEVELOPMENTS AGAIN. HE THINKS HE MAY BE OUT BY JULY 4. AT PRESENT, HIS WORST WORRIES ARE WHAT KIND OF VISA HE SHOULD GET--I ASSUME A J-AND WHAT KINDS OF PROBLEMS HIS WIFE MAY HAVE WITH (EXTREMELY NOMINAL) PCR MEMBERSHIP. COULD YOU CHECK INTO THESE QUESTIONS INFORMALLY, AND GIVE ME YOUR RECOMMENDATIONS?

4. AMESTY INTERNATIONAL DOCUMENT ON CASE OF GHEORGHE MIHAIL (SILINS-TIPTON BUCK SLIP DATED JUNE 7, 1978). WE HAVE NO RECORD OF ANY CONTACT WITH OR COMMUNICATION FROM MIHAIL. HE AND HIS WIFE ARE ON OUR (INCOMPLETE) LIST OF GOMA SIGNERS: ION STOIAN IS NOT. THE MIHAIRS DID NOT COME TO US FOR A VIENNA LETTER AND THEY PRESUMABLY RECEIVED AUSTRIAN VISAS IN THEIR STATELESS PASSPORTS. AS WE ARE ALL AWARE, AMONG THE METHODS USED LAST YEAR BY GOR TO PUT THE QUIETUS ON THE OPEN DISSIDENCE SPARKED BY GOMA WERE DISMISSAL FROM WORK AND PHYSICAL INTIMIDATION. MIHAIL'S STORY IS THEREFORE PLAUSIBLE, ALTHOUGH THE SYSTEMATIC PHYSICAL ABUSE HE CLAIMS HE AND STOIAN SUFFERED AT THE HANDS OF THE SECURITATE CONSIDERABLY EXCEEDS THE MORE-OR-LESS AD HOC CUFFING ABOUT THAT OTHERS HAVE DESCRIBED TO US. WE BELIEVE THE DEGREE OF PHYSICAL ABUSE MIHAIL DESCRIBED EXCEEDS THAT INTENDED BY HIGHER AUTHORITIES. WE HAVE, HOWEVER, ENCOUNTERED AN OCCASIONAL PERSON WHO HAS BEEN SEVERELY BEATEN--THOUGH NONE SO SYSTEMATICALLY--AND CANNOT RULE OUT THAT MIHAIL HAD THE MISFORTUNE TO FALL INTO THE HANDS OF A PARTICULARLY BRUTAL AND UNMERCIFUL

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LOCAL COMMANDER. IT IS ALSO POSSIBLE THAT HIS EXPERIENCE WAS EMBELLISHED IN THE TELLING, ALTHOUGH WE MUST ADMIT THAT, IN SPITE OF THE GENERAL PARANOIA ABOUT WHAT MAY HAPPEN TO THEM, WE HAVE FOUND FEW DISSIDENTS PRONE TO EXAGGERATE WHAT THEY HAVE ACTUALLY EXPERIENCED. IT IS EASY IN AN AUTHORITATIAN SYSTEM FOR INDIVIDUALS TO EXCEED THEIR AUTHORITY WITH RELATIVE IMPUNITY, AND WE SUSPECT THAT THIS HAPPENS MORE FREQUENTLY THAN AVAILABLE EVIDENCE INDICATES. NONETHELESS, AT LEAST HERE IN BUCHAREST IN DEALING WITH SUCH PEOPLE AS MIHAIL AND AT LEAST IN PART DUE TO STUBBORNNESS SUCH AS HE EXHIBITED, BEGINNING LAST FALL THE AUTHORITIES APPEAR TO HAVE TURNED TO EXTRUSION FOR WANT OF A BETTER WORD, RATHER THAN SUPPRESSION--AS THE FINAL OUTCOME IN HIS CASE DEMONSTRATES.

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5. TUDOR CLAIM (STATE 153308 AND 157091). DURING APRIL
GOROUND WHICH LED TO MAY 30 NOTE, BOTH PACOSTE AND
BADESCU WERE AT SOME PAINS TO SET FORTH VERY CLEAR AND
STRONG GOR POSITION RE PRINCIPLES AND PROCEDURES IN
DEALING WITH TUDOR CASE AT GOVERNMENT LEVEL. THIS
POSITION IS THAT ROMANIA'S OBLIGATIONS UNDER CONSULAR
CONVENTION ARE TO GIVE AMERICAN NATIONALS SAME
TREATMENT AS ROMANIAN NATIONALS; THAT TUDOR IS
FREE AT ANY TIME TO BRING CLAIM INTO ROMANIAN COURT
(THE MORE SO SINCE EVENTS OCCURRED WHILE HE WAS
ROMANIAN CITIZEN), SOMETHING HE HAS NOT DONE SO FAR;
THAT, NEVERTHELESS, ROMANIAN ACADEMY IS WILLING TO
DEFEND ITSELF, USING AMERICAN LAWYERS, IN US COURT, AT
SOME POTENTIAL DISADVANTAGE; THAT ALL RELEVANT DOCUMENTS,
NOTARIZED BY EMBASSY, ARE IN HANDS OF ACADEMY'S US
LAWYERS; THAT REQUESTS FOR LKESE DOCUMENTS SHOULD BE
DIRECTED TO TUDOR'S LAWYERS TO ACADEMY'S LAWYERS,
SINCE CASE HAS JUDICIAL STANDING, APPARENTLY, IN US
SYSTEM; AND THAT REQUESTS BY USG TO GOR FOR DOCUMENTATION
IS VIOLATION OF US JUDICIAL PROCESS, APPARENTLY, IN US
SYSTEM; AND THAT REQUESTS BY HYSG TO GOR FOR DOCUMENTATION
IS VIOLATION OF US JUDICIAL PROCESS, WHICH US WOULD NOT
ADMIT IF SHOE WERE ON OTHER FOOT; AND THAT ROMANIA CAN
IN NO CASE BE CHARGED WITH VIOLATIONS OF CONSULAR
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CONVENTION FOR TAKING THIS POSITION. I PROBABLY SHOULD HAVE REPORTED ALL THIS, AND REGRET I DID NOT.

6. TUDOR CLAIM (CONTINUED). PURSUANT TO STATE 153308, I RAISED CASE WITH BOGDAN JUNE 20, BUT DID SO IN FASHION WHICH TAKES THIS VERY STRONGLY HELD POSITION INTO ACCOUNT. I NOTED THAT MAY 30 NOTE HAD BEEN USEFUL, AND REFERRED TO DEPARTMENT'S TESTIMONY AT JUNE 15 HEARINGS TO EFFECT THAT DEETMENT HAS NOT ESPoused CLAIM. I ALSO SPELLED OUT AGAIN EXACTLY WHO MERRIGAN IS, AND WHAT HIS ROLE IN US-CZECHOSLOVAK RELATIONS HAS BEEN, WITH REFERENCE TO UPCOMING SENATE HEARINGS. BOGDAN HAD HIS MAN TAKE VERY CAREFUL NOTES (MERRIGAN WITH TWO R'S), AND, I BELIEVE, UNDERSTOOD PERFECTLY. I THEN SAID WE DO NOT HAVE TEXTS OF DECISIONS REFERRED TO IN MAY 30 NOTE, AND THAT IT WOULD BE USEFUL FOR US TO HAVE THEM; NEVERTHELESS, SINCE I WAS FAMILIAR WITH ROMANIAN LEGAL POSITION, I WAS NOT ASKING FOR THEM ON BEHALF OF USG. ON OTHER HAND, DECISIONS WERE ALSO REFERRED TO IN ACADEMY'S JULY 31, 1975, REPORT (HERE I GAVE ALL THE DATA IN PARA 4 STATE 153308); USG WAS IN POSSESSION OF VERY UNCLEAR COPY FROM UNKNOWN SOURCES; AND IT WOULD BE EXTREMELY HELPFUL IF EMBASSY COULD BE FURNISHED CLEAR COPY OF THIS DOCUMENT, SINCE IT WOULD ASSIST DEPARTMENT IN RESOLVING ISSUES OF FACT AND DETERMINING WHETHER USG HAS LEGAL STANDING TO ESPouse TUDOR CLAIM. IN CONCLUSION, I EMPHASIZED VALUE OF SMALL CONCRETE STEPS AT THIS PARTICULAR POINT IN LEGISLATIVE PROCESS. IN PROMISING TO CHECK INTO SITUATION, HE ASKED FMUKZECONFIRMATION OF FACT WE ALREADY HAVE COPY OF REPORT, EVEN BAD ONE, AND I GAVE IT. I SHALL BE REMINDING HIM IN NEXT FEW DAYS, AND WE WILL BE SUGGESTING TO ASSISTANT SECRETARY THAT HE REFER TO REQUEST.

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